

PATENT

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Confirmation No. 6194

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/758,484 is being electronically transmitted to Technology Center 2186, via EFS-WEB, on February 8, 2008.

/Scott A. Stinebruner/

Scott A. Stinebruner, Reg. No. 38,323

February 8, 2008

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Curtis Griffin et al. Art Unit: 2186
Application No.: 10/758,484 Examiner: Shane M. Thomas
Filed: January 15, 2004
For: ASYNCHRONOUS HYBRID MIRRORING SYSTEM

COMMUNICATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in reply to the Notice of Non-Compliant Amendment dated January 9, 2008, within the one-month period for response. Applicant respectfully submits that in claim 2, line 2 of the original amendment filed on October 22, 2007, a strikethrough of the word "a" was indicated; however, in an effort to make the record clear, Applicant has changed the strikethrough to brackets around the word "a" in the second line of claim 2, as suggested by the Examiner. Applicant respectfully requests that the attached Listing of Claims section be substituted for the Listing of Claims section of the October 22, 2007 Amendment and Response to render the Amendment compliant.

Applicant respectfully submits that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed. Applicant also notes that the amendments made herein are being made only for facilitating expeditious prosecution of the aforementioned claimed subject matter. Applicant is not conceding in this application that the originally claimed subject matter is not patentable over the art cited by the Examiner, and Applicant respectfully

reserves the right to pursue this and other subject matter in one or more continuation and/or divisional patent applications.

In summary, Applicant respectfully submits that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23 3000.

Respectfully submitted,

February 8, 2008

Date

/Scott A. Stinebruner/

Scott A. Stinebruner
Reg. No. 38,323
WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
Facsimile: (513) 241-6234